

MESSAGE NO: 8317202 MESSAGE DATE: 11/12/2008

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8280204
MESSAGE #
(s):

CASE #(s): A-427-201

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/2006 TO 04/30/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQ INSTRUCTIONS FOR BALL BEARINGS AND PARTS THEREOF FROM FRANCE
PROD'D BY SKF FRANCE S.A. OR SKF AEROSPACE FRANCE S.A.S. (FORMERLY SARMA)
(A-427-201-008/012)

MESSAGE NO: 8317202

DATE: 11 12 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 8280204

REFERENCE DATE: 10 06 2008

CASES: A - 427 - 201

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PERIOD COVERED: 05 01 2006 TO 04 30 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ INSTRUCTIONS FOR BALL BEARINGS AND PARTS THEREOF
FROM FRANCE PROD'D BY SKF FRANCE S.A. OR SKF AEROSPACE
FRANCE S.A.S. (FORMERLY SARMA) (A-427-201-008/012)

1. UNTIL FURTHER INSTRUCTED, CONTINUE TO SUSPEND LIQUIDATION
FOR ENTRIES COVERED BY PARAGRAPH 1 OF INJUNCTION MESSAGE NUMBER
8280204, DATED 10/06/2008.

2. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT
REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF
BALL BEARINGS AND PARTS THEREOF FROM FRANCE PRODUCED BY SKF
FRANCE S.A. OR SKF AEROSPACE FRANCE S.A.S. (FORMERLY SARMA),

ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 05/01/2006 THROUGH 04/30/2007, ENTERED UNDER CASE NUMBER A-427-201-008 OR A-427-201-012, AND NOT COVERED BY THE INJUNCTION DESCRIBED IN PARAGRAPH 1 ABOVE, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR BALL BEARINGS AND PARTS THEREOF FROM FRANCE IS 65.13 PERCENT.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 05/01/2006 THROUGH 04/30/2007 COVERED BY PARAGRAPH 2 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (73 FR 52823, DATED 09/11/2008). FOR ALL OTHER SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM FRANCE YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. UNTIL YOU RECEIVE COMPANY-SPECIFIC LIQUIDATION INSTRUCTIONS FOR CHRISTIAN FEDDERSEN GMBH & CO. KG, LENTZ & SCHMAHL GMBH,

AND SOCIETE NEXANS, DO NOT LIQUIDATE ENTRIES OF SUBJECT MERCHANDISE WHICH WAS PRODUCED BY SKF FRANCE S.A. OR SKF AEROSPACE FRANCE S.A.S. (FORMERLY SARMA), EXPORTED BY CHRISTIAN FEDDERSEN GMBH & CO. KG, LENTZ & SCHMAHL GMBH, OR SOCIETE NEXANS, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION

DURING THE PERIOD 5/1/2006 THROUGH 4/30/2007.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER, WHICH IS 05/15/1989.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN 19 CFR 351.402(f)(2). THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. WITH THE EXCEPTION OF ENTRIES CONTAINING MERCHANDISE WHICH IS SUBJECT TO THE INJUNCTION DISCUSSED IN PARAGRAPH 1 ABOVE, THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THESE INSTRUCTIONS.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5: EAA).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party